

**RECEIVED  
CENTRAL FAX CENTER**

NOV 02 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Bryan Franz Dufner et al

Examiner: Lois L. Zheng

Serial No.: 10/075,561

Art Unit: 1742

Filed: February 13, 2002

Docket No.: C-2199Re

Title: ELECTROCHEMICAL CELL WITH A  
POROUS SUPPORT PLATEI hereby certify that this correspondence is being facsimile  
transmitted to the United States Patent and Trademark  
Office (Fax No. 571-273-8300) on November 2, 2006.

Barbara Cecere

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450RESPONSE

Sir:

1. This paper is responsive to the Office Action dated June 7, 2006. A one month Extension of Time is provided herewith. Claims 1-14 and 17-19 remain for consideration.

2,3. Claims 1-3, 6-10 and 13-14 are rejected as anticipated by Taniguchi et al (Taniguchi). The rejection incorporates, by reference, paragraph 4 of the previous Office Action, which is stated to be mailed 6 January 2006, but is stamped as being mailed on January 4, 2006.

Claims 1 and 8 are independent claims, and if they are patentable, the remaining claims are patentable.

Enclosed is the Declaration of Carl A. Reiser, an expert in the fuel cell arts. Both claims 1 and 8 require a hydrophilic substrate, in addition to a contact bilayer, and also require that the hydrophilic phase means must increase the capacitance of the cell. Paragraph 5 of the Declaration establishes as prima facie fact that Taniguchi does not disclose a substrate in addition to a contact bilayer. Paragraph